

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A monitoring device comprising:

a needle assembly having a needle body, said needle body having an open back end and a pointed tip end and having a sidewall defining a long-narrow lumen extending between said open back end and said pointed tip end, said sidewall further defining a plurality of at least three side ports;

a fiber optic bundle disposed in said lumen and in communication with said ports;

a radiation delivering fiber optic element disposed in said lumen and in communication with at least one of said ports;

a radiation source in communication with said radiation delivering fiber optic member for irradiating an area adjacent said at least one of said ports;

at least one return fiber optic element in communication with at least one of said plurality of the remaining side ports;

a light detector in communication with said return fiber optic elements for receiving radiation from an irradiated area.

2. (Currently Amended) The monitoring device of claim 1, further comprising a central port disposed on said pointed tip end, wherein said radiation delivering fiber optic element is in further communication with said central port for irradiating an area adjacent said pointed tip end.

3. (Currently Amended) The monitoring device of claim 2, wherein said side ports are disposed on said needle body in a pattern equidistantly from one another.

4. (Withdrawn) The monitoring device of claim 3, wherein said side ports are disposed generally equidistantly in a straight line along a length of the body.

5. (Withdrawn) The monitoring device of claim 3, wherein said side ports are disposed around a circumference of said needle body.

6. (Original) The monitoring device of claim 3, wherein said side ports are disposed in a serpentine configuration around a length of said needle body.

7. (Cancelled) The monitoring device of claim 1, further comprising:

a radiation source in communication with at least one fiber optic member of said bundle for irradiating an area adjacent the tip end of said fiber optic member; and

a light detector in communication with at least one fiber optic member of said bundle for receiving radiation backscattered from an irradiated area.

8. (Previously Presented) The monitoring device of claim 1, further comprising a sensor for receiving and interpreting information communicated from said light detector.

9. (Previously Presented) The monitoring device of claim 1, wherein said sensor is a spectrophotometer.

10. (Original) The monitoring device of claim 9, wherein said device is adapted for spectrophotometric detection of a member selected from the group consisting of oxyhemoglobin, deoxyhemoglobin, NAD, NADH, NADP, NADPH, cytochrome oxidase, and myoglobin.

11. (Original) The monitoring device of claim 10, wherein said device is adapted for pulse oximetry.

12. (Previously Presented) The monitoring device of claim 1, wherein said radiation source comprises at least one light emitter, a bispectral emitter, a dual spectral emitter, at least one photoemitter, at least one photodiode, at least one light emitting diode, or a semiconductor die.

13. (Original) The monitoring device of claim 8, wherein said sensor comprises a photoelectric receiver, a photodetector, a photodiode receiver, or a semiconductor die.

14. (Original) The monitoring device of claim 1, wherein said pointed tip end is adapted to pierce human tissue.

15. (Original) The monitoring device of claim 14, wherein said device includes a barb to anchor said needle in a specimen to be monitored.

16. (Currently Amended) A monitoring device comprising:  
a needle assembly having a needle body, said needle body having an open back end and a pointed tip end and having a sidewall defining a long-narrow lumen extending between said open back end and said tip, said sidewall further defining ~~a plurality of at least three side ports~~;

means for carrying electromagnetic radiation, said electromagnetic radiation carrying means in communication with said ports;

means for providing radiation, said radiation means in communication with at least a portion of said electromagnetic radiation carrying means for irradiating an area adjacent said ports; and

means for detecting electromagnetic radiation, said detecting means in communication with at least a portion of said electromagnetic radiation carrying means for sensing radiation backscattered from an irradiated area.

17. (Original) The monitoring device of claim 16, wherein said electromagnetic carrying means comprises at least one fiber optic member.

18. (Currently Amended) The monitoring device of claim 16, wherein said radiation means for providing radiation comprises at least one light emitter, a bispectral

emitter, a dual spectral emitter, at least one photoemitter, at least one photodiode, at least one light emitting diode, or a semiconductor die.

19. (Original) The monitoring device of claim 16, wherein said sensor means for detecting electromagnetic radiation comprises a photoelectric receiver, a photodetector, a photodiode receiver, or a semiconductor die.

20. (Original) The monitoring device of claim 16, further comprising anchoring means for securing said device to an area to be monitored.

21. (Original) The monitoring device of claim 20, wherein said anchoring means comprises at least one barb.

22. (Cancelled) A monitoring device comprising:

a needle assembly having a needle body, said needle body having an open back end and a pointed tip end and having a sidewall defining a long-narrow lumen extending between said open back end and said tip, said sidewall further defining at least one light emitting port and light receiving port;

a fiber optic member disposed in said lumen and in communication with at least said light emitting port;

a light detector in communication with said light receiving port for detecting light emitted from said light emitting port.

23. (Withdrawn) The monitoring device of claim 22, wherein said needle body comprises first and second prongs, wherein said first prong includes said light emitting port and said second prong includes said light receiving port.

24. (Withdrawn) The monitoring device of claim 22, wherein said needle body comprises an arcurate configuration, wherein a first area of said arc has a light emitting

port on the concave side and a second area of said arc has a light receiving port on the concave side.

25. (Currently Amended) A method of detecting or monitoring a physiological condition or a biological phenomena with spectrophotometry comprising:

securing a needle body having a fiber optic bundle disposed therein in an area to be spectrophotometrically analyzed;

irradiating at least one fiber optic member of said bundle with electromagnetic radiation for delivery to said area through at plurality of ports;

receiving backscattered radiation at a light detector; and

communicating a signal from said light detector to a sensor configured to decipher a value from said signal.

26. (Previously Presented) The method of claim 25, wherein said condition or phenomena is oxygen saturation of blood or indocyanine green clearance in said area.

27. (Previously Presented) The monitoring device of claim 9, wherein said device is adapted for indocyanine green clearance.